



COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

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Interoperable Communications Technology Program Grant Owner's Manual

U.S. Department of Justice
Office of Community Oriented Policing Services
Carl R. Peed, Director



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Interoperable Communications Technology Program Grant Owner's Manual

This manual was created to assist COPS Interoperable Communications Technology Program (ICTP) grantees with the administrative and financial matters associated with the grant.

For more information about your Interoperable Communications Technology Program grant, contact your ICTP Point of Contact (POC). If you do not know the name or telephone number of your Point of Contact, contact the COPS Office Response Center at 800.421.6770.



U.S. Department of Justice
Office of Community Oriented Policing Services
1100 Vermont Avenue, NW
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code)

COPS Online: www.cops.usdoj.gov

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The background of the slide is a repeating pattern of stylized, five-pointed stars. Each star is composed of several triangular facets, giving it a three-dimensional, crystalline appearance. The stars are rendered in a light gray color against a slightly darker gray background. They are arranged in a grid-like fashion, with some stars appearing slightly more prominent than others due to their orientation and the way the light reflects off their facets.

Getting Started



Getting Started

Congratulations on receiving a grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). Your COPS Interoperable Communications Technology Program (ICTP) grant provides direct funding for projects that explore uses of equipment and technologies to increase interoperability and data information sharing among the law enforcement, fire service, and emergency medical service communities. These projects should be the result of thorough and rigorous planning, and demonstrate how new technologies and operating methods can help communities achieve interoperability.

This COPS Interoperable Communications Technology Program Grant Owner's Manual will assist your agency with the administrative and financial matters associated with your grant. It was developed by the COPS Office to ensure that all COPS ICTP grantees are able to clearly understand and meet the requirements of their grant. Please review this manual carefully, because a failure to follow grant requirements can have serious ramifications. Please do not hesitate to call the COPS Office Response Center at 800.421.6770 if you need assistance with the implementation of your grant.

Thank you for providing us with the opportunity to work in partnership with your community.



I. Grant Acceptance, Terms, and Conditions



I. GRANT ACCEPTANCE, TERMS, AND CONDITIONS

To officially accept and begin your Interoperable Communications Technology Program grant, your agency must review, sign and return the original Award Document to:

Interoperable Communications Technology Program Control Desk
U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue, N.W.
Washington, DC 20530

(For overnight delivery, please use 20005 as the zip code.)

Your agency will not be able to draw down grant funds until the COPS Office receives your original, signed Award Document. **Signatures on the Award Document must be original – photocopies, faxed copies, stamps, and/or electronic signatures will not be accepted.** For more information on drawing down grant funds, please see Section III, "Accessing Grant Funds."

The Award Document

The Award Document is the one-page, double-sided document indicating your official grant funding amount, the grant number, the grant conditions, and the award start and end dates.

The Award Document is preprinted with your agency's law enforcement and government executives' names and addresses. If this information is incorrect or has changed, please complete the Change of Information (COI) Form included in your award packet, and mail it to the COPS Office with your signed Award Document. **Please do not make any changes or corrections to the original Award Document (including the use of correction fluid). The COPS Office will not accept an altered Award Document.** Once you have reviewed your Award Document, please sign it, make a copy for your records, and mail the **original document** (copies cannot be accepted) with **original signatures** back to the COPS Office.

The award start date indicated on the Award Document means that your agency may be reimbursed for any allowable costs incurred on or after this date. The duration of your COPS ICTP grant award is for three years or 36 months.

Your grant number is in the following format: 2004-INWX-0000 for grants awarded in FY 2004, 2005-INWX-0000 for grants awarded in FY 2005, etc. The COPS Office tracks grant information based upon this number. Therefore, it is important to have your agency's grant number (and/or your agency's ORI number) readily available when corresponding with the COPS Office.

Your ORI number begins with your state abbreviation followed by five numbers and/or letters (e.g., MD00000). This number is assigned by the Federal Bureau of Investigation (FBI) for use



in tracking information for the Uniform Crime Report (UCR). The COPS Office tracks programmatic grant information based upon this ORI number.

If you have any questions regarding your grant, please refer to your grant award number or your agency's ORI number when you contact the COPS Office.

Grant Conditions

The grant conditions are listed on the back of your agency's Award Document. By accepting this grant, you are obtaining federal funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office). As part of that agreement, your agency acknowledges that it will comply with these conditions (and possibly additional special conditions specific to your agency). The section that follows describes in detail each of the award conditions, their rationale, and their implications. It also addresses many frequently asked questions. If you have any additional questions concerning any of these grant conditions, please contact your ICTP Point of Contact (POC) at 800.421.6770.

In special cases, a grant condition that your agency may receive will prevent drawdown of or access to your funds until it is satisfied. It should be clear to you when you review the Award Document and any corresponding grant conditions, which, if any, would prevent drawdowns until satisfied. However, if you have any questions about these conditions, please call your Interoperable Communications Technology Program POC.

Reasons for Grant Conditions

The requirements of your Interoperable Communications Technology Program grant are established within:

- The Public Safety Partnership and Community Policing Act of 1994 under which the COPS Office was established
- Applicable rules, regulations and policies issued by the U.S. Department of Justice, Office of Management and Budget (OMB), the Government Accountability Office (GAO), and the United States Treasury
- The specific ICTP programmatic requirements established by the COPS Office.

A list of source documents for this booklet is provided in Appendix A. You may request copies of any source reference document from:

**Office of Administration, Publication Unit
New Executive Office Building, Room G 236
Washington, DC 20503**

COPS-specific documents may be requested directly from the COPS Office.



Review of Grant Conditions

By signing the Award Document to accept this Interoperable Communications Technology Program grant, your agency agrees to abide by the following grant conditions:

1. GRANT OWNER'S MANUAL / ASSURANCES AND CERTIFICATIONS

The grantee agrees to comply with the terms, conditions and regulations as found in the COPS Interoperable Communications Technology Program Grant Owner's Manual; the COPS statute (42 U.S.C §. 3796dd); OMB Circulars A-87, A-21, A-122 or the Federal Acquisition Regulations, as applicable (governing cost principles); OMB Circulars A-102 (28 C.F.R. Part 66) or A-110 (28 C.F.R. Part 70), as applicable (Uniform Administrative Requirements for Grants and Cooperative Agreements); OMB Circular A-133 (governing audits); these award conditions; other representations made in the grant application for the COPS Interoperable Communications Technology Program; and with all applicable program requirements, laws, orders, regulations, or circulars.

The grantee also acknowledges its agreement to comply with the Assurances and Certifications forms that were signed and submitted as part of its Interoperable Communications Technology Program application.

Why This Condition:

This manual has been designed to inform you of the laws, regulations, and policies that apply to your grant. Your agency will be responsible for the information and rules contained in this manual and for implementing your grant in compliance with the applicable terms, conditions and regulations. More detailed guidance can be requested through your ICTP Point of Contact.

Although the COPS Office has made every effort to simplify the process of applying for and receiving grants, provisions of federal law require us to seek your assurances and certification regarding certain matters. Most of these assurances and certification apply to all grants provided by the federal government.

What You Should Do:

Please read the entire ICTP Grant Owner's Manual carefully prior to signing the grant Award Document. If you have any questions, please contact your COPS ICTP Point of Contact. When accepting your grant award, you should ensure that the proper reporting and financial systems are in place to satisfy grant requirements.

Your agency signed the Assurances and Certifications forms at the time of application. Your agency is responsible for reviewing and ensuring that the terms agreed to when signing the Assurances and Certifications are fulfilled. Additional copies of the Assurances and Certifications forms are contained in Appendix B of this manual. If you have any questions about them, please contact your ICTP Point of Contact.



2. ALLOWABLE COSTS

Funding should be used for the payment of approved costs for technology and equipment to assist state and local law enforcement agencies in improving interoperability among first responders of local, tribal, regional, and state public safety agencies or organizations. The allowable costs for which your agency's grant has been approved are limited to those listed on the Financial Clearance Memorandum, which is included in your agency's award packet.

Why This Condition:

The funding under this project is for the purchase of items and services approved by the COPS Office as reflected in the Financial Clearance Memorandum (FCM). COPS ICTP is a program that funds the purchase of technology, services, and other items that will allow recipients the opportunity to establish and enhance a variety of technical equipment and/or projects to increase interoperability and data information sharing through multi-jurisdictional and/or multidisciplinary participation.

To be eligible for payment under this grant, the purchase of approved items must be made after the grant award start date and comply with the guidelines described in Section III, "Accessing Grant Funds," of this manual. Section V, "Financial Record Maintenance," outlines the types of records you must keep to document that you followed this grant condition. Purchases must also reflect the costs that were approved as shown in the Financial Clearance Memorandum.

What You Should Do:

Refer to your Financial Clearance Memorandum for the list of approved allowable costs. Listed below are the budget categories that may appear on your Financial Clearance Memorandum. As long as funds are spent during the grant period on the equipment and technology, supplies, travel, contracts/consultants, and other costs that were documented in your application's budget summary and were approved through the issuance of the Financial Clearance Memorandum, this grant condition will be satisfied.

Equipment

To be eligible for payment under this grant, the purchase of equipment and technology must occur on or after the award start date, the items must be those specifically applied for and approved by the COPS Office, and they must meet the guidelines described in 28 C.F.R. 66 or 28 C.F.R. 70, as applicable. Equipment or technology purchased on or after the award start date must be in addition to purchases that the grantee is obligated or funded to make in its current budget. Funds currently allocated to purchase equipment or technology may not be reallocated to other purposes or reimbursed upon the award of an ICTP grant.

Supplies

All supplies must be solely used for the project identified in your project proposal. Reimbursement for office supplies that are consumed by routine administrative purposes instead of project-related activities is prohibited. Items must meet the guidelines described in 28 C.F.R. 66.33 or 28 C.F.R. 70.35, as applicable.



Travel

Travel costs for transportation, lodging, subsistence, and related items are allowable under ICTP with prior approval from the COPS Office. For grantees subject to Circular A-21 Cost Principles for Educational Institutions; Circular A-87 Cost Principles for State, Local and Indian Tribal Governments; or Circular A-122 Cost Principles for Non-Profit Organizations, travel costs incurred directly by the grantee or costs incurred for project-related non-grantee travel will be reimbursed based upon the grantee's written institutional travel policy (if available) and if the costs are reasonable and allowable to the project. In the absence of an acceptable and available institutional travel policy, allowable per diem travel costs for lodging, meals and incidentals will be reimbursed based on the established GSA per diem rates for the relevant geographic area. These rates can be found at www.policyworks.gov. Allowable airfare travel costs will be reimbursed based upon the lowest discount commercial airfare, the federal government contract airfare, if authorized and available, or standard coach airfare.

For grantees subject to FAR-31.2 Cost Principles for Commercial Organizations, travel costs incurred directly by the grantee will be reimbursed if the costs are reasonable and allowable under the project. Travel costs for lodging, meals and incidental expenses may be reimbursed based upon per diem, actual expenses or a combination of these methods, as long as the reimbursement rate does not exceed established GSA per diem rates as set forth in the Federal Travel Regulation. Transportation costs may be reimbursed based on mileage rates, actual costs incurred, or a combination of these methods. Allowable airfare travel costs will be reimbursed based upon standard coach fare, unless otherwise authorized in advance by the COPS Office.

COPS ICTP will fund grant-related travel costs for the grantee agency or other (non-grantee) individuals to attend training and technical assistance conferences, seminars, or classes, or to visit a site specified in the application. Allowable expenses for grant-related lodging, meals and incidental expenses that were included in the application have been approved by the COPS Office as part of the ICTP award and final budget.

Contracts/Consultants

The COPS Office requires written justification of any consultant rate that exceeds \$450 per day. Specific and detailed justification must be submitted to and approved by the COPS Office prior to obligation or expenditure of such funds.

Other Costs

The purchase of project-related expenditures that do not conform to any other category descriptions specified above were included in this section of your Financial Clearance Memorandum. In addition, items that have a direct correlation to the overall success of a grantee's project objectives and are necessary for the project to reach full implementation will be considered on a case-by-case basis by the program team.

A local cash match of 25 percent of the total project cost is required for all COPS ICTP grants. For more information on the local match requirement, please refer to Section IV of this manual, "Meeting the Local Match."



Requests may be made only for items or positions that are not otherwise budgeted with state, local, or Bureau of Indian Affairs funds, and would not be funded in the absence of the Interoperable Communications Technology Program grant.

If at any time you are unsure if an item is considered allowable or not, please contact your COPS ICTP Point of Contact for further assistance.

3. TRAVEL COSTS

Travel costs for transportation, lodging and subsistence, and related items are allowable under the Interoperable Communications Technology Program with prior approval from the COPS Office. Payment for allowable travel costs will be in accordance with Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments), Circular A-122 (Cost Principles for Non-Profit Organizations), and Circular A-21 (Cost Principles for Educational Institutions), as applicable.

Why This Condition:

ICTP will fund grant-related travel costs for the grantee agency or other (non-grantee) individuals to attend training and technical assistance conferences, seminars, or classes, or to visit a site specified in the original application. Allowable expenses for grant-related lodging, meals, and incidental expenses that were included in the application were approved by the COPS Office as part of your agency's ICTP award and final budget. For more information, please refer to Grant Condition #2, "Allowable Costs."

What You Should Do:

Your agency should keep timely and accurate records of all travel expenses. If at any time these costs change, you should immediately contact your ICTP Point of Contact to obtain a grant modification.

4. SUPPLEMENTING, NOT SUPPLANTING

State and local governments must use Interoperable Communications Technology Program funds to supplement, and not supplant, state, local or Bureau of Indian Affairs funds already committed for grant purposes (training, purchases, and/or activities) that would exist in the absence of the grant. In other words, grantees may not use COPS funds to replace state, local, or Bureau of Indian Affairs funds for any allowable cost budgeted prior to or during the grant period.

Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 specifically states that federal funds under COPS programs may not be used to supplant (replace) existing local, state, or Bureau of Indian Affairs funds that would be spent for law enforcement purposes in the absence of the grant.

What You Should Do:

Interoperable Communications Technology Program grantees may not use grant funds to pay for any item (e.g., equipment, supplies, travel, training, etc.) if that item or cost was



otherwise budgeted with state, local, or Bureau of Indian Affairs funds, or committed to the grantee's budget. ICTP funds may not be used to purchase any items prior to the official grant award start date.

In addition, state and local grantees may not reallocate state, local, or BIA funds from one area within the law enforcement budget to another as a result of receiving ICTP grant funds. For example, grantees who have budgeted funds to pay for a new computer system may not reallocate those funds to pay for any other law enforcement cost as a result of receiving ICTP funds for the same computer system.

5. EXTENSIONS

Your agency may request an extension of the grant award period to receive additional time to implement your grant program. Such extensions do not provide additional funding. Only those grantees that can provide a reasonable justification for project delays will be granted no-cost extensions. Extension requests must be received prior to the end date of the award, as extensions will not be granted once the award has expired.

Why This Condition:

Under federal regulations, requests to extend the grant period require *prior written approval* from the COPS Office. Without an approved extension, your funding will stop automatically at the end of the original grant period. However, where justified, the COPS Office seeks to accommodate reasonable requests for additional time to complete a grant.

What You Should Do:

The COPS Office will contact your agency no later than 90 days prior to the end of the grant period to determine whether a no-cost extension is needed. Requests to extend the grant period must be received by the COPS Office before the end date of the award. Failure to submit a request for a no-cost extension by the end date of the award may result in the immediate deobligation of any remaining grant funds.

6. MODIFICATIONS

Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its ICTP award. Movement of dollars between approved budget categories (as reflected in the original Financial Clearance Memorandum provided with the Award Document) or other budget modifications are allowed up to ten percent (10%) of the total award amount as last approved by the COPS Office, providing there is no change in project scope. When any cumulative changes exceed ten percent of the total award amount or change the scope of the project, prior approval from the COPS Office is required. The grantee must promptly notify the COPS Office in writing of proposed changes in excess of ten percent of the total award amount, and must obtain written approval from COPS for these changes before incurring the proposed costs. In requesting an adjustment, the grantee must set forth the reasons and the basis for the proposed changes and any other information deemed helpful for review by the COPS Office.



Why This Condition:

The COPS Office realizes that agencies may need to reprogram grant funds. Acceptable examples of such award modifications include purchasing additional equipment using cost-savings from approved items, or purchasing a different type of equipment due to changing needs. Grantees may reprogram their budget up to an aggregate of ten percent of the total project cost without prior approval from the COPS Office. Grantees should consult with their ICTP Point of Contact before reprogramming funding, and then notify the COPS Office in writing of any reprogramming that falls below the ten percent threshold. Once the reprogramming of funds totals an aggregate of ten percent or more of the award, grantees must seek written approval from the COPS Office. Please be advised that reprogramming requests for unallowable costs will not be approved (e.g., contractual hours that exceed 36 months' worth of work, indirect costs, etc.).

What You Should Do:

Agencies have the ability to reprogram their grant budget as long as modifications remain within the scope of the project. If an agency needs to reprogram their project, they should first consult with their ICTP Point of Contact.

If the grant reprogramming exceeds ten percent in aggregate, grantees must request a modification to the award by submitting a letter on official letterhead that includes:

- ORI number
- Grant number
- Details of the original award
- A description of the proposed changes
- Revised budget worksheets that reflect all changes.

The COPS Office will then evaluate your request and notify your agency of our decision.

NOTE: Agencies may not request modifications to increase award amounts.

7. EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP)

Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an 18-month period) must submit an acceptable Equal Employment Opportunity Plan (EEOP) or EEOP short form, if required to submit an EEOP under 28 C.F.R. 42.302, that is approved by the Office of Justice Programs, Office of Civil Rights, within 60 days of the award start date.

Why This Condition:

The purpose of an Equal Employment Opportunity Plan (EEOP) is to ensure full and equal participation of men and women regardless of race or national origin in the workforce of the recipient agency. EEOPs do not impose quotas or hiring requirements. The U.S. Department of Justice (DOJ) regulations regarding the requirements for an EEOP for federal grant recipients and the required contents of the document are fully explained in 28 C.F.R. 42.301 et seq.



What You Should Do:

U.S. DOJ regulations require you to prepare and maintain an EEOP if your organization:

- (i) Has 50 or more employees; and
- (ii) Received a total of \$25,000 or more in grants or subgrants; and
- (iii) Has three percent or more minorities in its service population. Even if there is less than three percent of minorities in the service population, the DOJ regulations require that the EEOP be written to focus on women.

If your agency meets the above criteria and received \$500,000 or more (or a total of \$1 million in grant funds during an 18-month period), you are required to submit the EEOP within 60 days of the grant award start date to:

Office of Civil Rights
Office of Justice Programs
810 7th Street, N.W.
Washington, DC 20531

If your agency meets the above criteria but your grant is for less than \$500,000 and you have received less than \$1 million in grant funds during an 18-month period, you must complete and return the one-page EEOP Certification form within 60 days of your grant award to advise us whether you have an EEOP in effect or whether you are exempt from this requirement. A blank copy of the EEOP Certification form can be found in the *Civil Rights Seven-Step Guide to the Design and Development of an Equal Employment Opportunity Plan*. If you have any questions regarding the EEOP requirements, please contact the Office of Civil Rights at 202.307.0690 for further assistance.

8. EMPLOYMENT ELIGIBILITY

The grantee agrees to complete and keep on file, as appropriate, a Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.

Why This Condition:

Under federal immigration law, all employers are required to take certain steps to ensure that persons that are hired are legally permitted to work in the United States. The Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9) outlines the types of documents that an employer should review to confirm that a new hire is eligible to be employed.

What You Should Do:

You do not need to submit any documentation to the COPS Office to satisfy this condition. Rather, you should complete and maintain the I-9 forms for all new employees under the guidelines set forth by the Bureau of Citizenship and Immigration Services. For further information about this requirement, you may call the Office of Business Liaison at 800.357.2099 or the National Customer Service Center at 800.375.5283.



9. FINANCIAL STATUS REPORTS

Grantees are required to submit quarterly Financial Status Reports as well as any additional required programmatic progress reports.

Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations and policies require that financial assistance provided by the federal government be monitored carefully to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and grantees.

What You Should Do:

This grant condition is to make your agency aware of reporting requirements associated with Interoperable Communications Technology Program grants. These reports are discussed in greater detail in Section VII, "Reports," of this manual.

10. EVALUATIONS

The COPS Office may conduct monitoring or sponsor national evaluations of the COPS Interoperable Communications Technology Program. The grantee agrees to cooperate with the monitors and evaluators.

Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of the purposes of the Act. The COPS Office conducts evaluations to determine what programs are working, how programs may be improved, and why certain programs are more successful than others. Specifically, the COPS Office may assess the way in which your agency implements its community policing and/or crime prevention programs. In some jurisdictions, COPS staff or evaluators may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effect on crime, victims of crime, and the quality of life in communities. In addition, they may ask questions about how residents feel about community policing and how police feel about their work. This information will be useful to other communities and police agencies across the country.

What You Should Do:

When evaluations are undertaken, you may be contacted in writing with specific requests for information. In general, evaluators may need to speak with individuals in your department, observe activities of your department, and obtain written reports about and from your department. You will be asked to facilitate any site visits and information-gathering activities. In addition, you will be asked to provide accurate and timely information about your grant activities.



11. GRANT MONITORING ACTIVITIES

The COPS Office performs various functions to ensure compliance with all grant requirements and to provide technical assistance to grantees. Grant monitoring activities are routine during the grant period and may occur up to three years following the end of the grant funding. These functions, and others, often require the production of grant-related documentation and other materials. As a COPS ICTP grantee, you agree to cooperate with any such requests for information.

Why This Condition:

The Public Safety Partnership and Community Policing Act of 1994 states that each grant program must contain a monitoring component. The COPS Office actively monitors how grantees are adhering to COPS grant requirements and develops the best technical assistance based on this feedback.

What You Should Do:

Your agency may be required to accommodate routine and non-routine efforts by the COPS Office, or an entity designated by COPS, to examine your agency's use of federal funds, both programmatically and financially. The most common ways are:

- 1) Site Visits – Certain grants are selected for on-site monitoring visits. If selected, your agency will be notified in writing in advance of any on-site review of your COPS grants. This review is generally performed over a one or more day period and also provides an opportunity for agency representatives to seek assistance on any grant implementation issues. Your agency will be notified in writing of the results and any action required to remedy identified grant violations.
- 2) Office-Based Grant Reviews (OBGRs) – Certain grants are selected for a review conducted at the COPS Office. If selected, your agency will be contacted at the start of this review and our staff will correct any grant problems or deficiencies through telephone, fax and/or written correspondence with your agency.
- 3) Complaints – The COPS Office responds to complaints from citizens, labor associations, media, and other sources. Written complaints or allegations are reviewed by the COPS Office Grant Monitoring Division, and may result in a review of your agency's grants to determine compliance with grant conditions.

Grantees are responsible for remedying any grant noncompliance that is identified through these or other monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to: suspending grant funding, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, and bars from receiving future COPS grants. To avoid findings of noncompliance, grantees are strongly encouraged to contact the COPS Office at any time during the life of a COPS grant with questions concerning grant requirements and also to maintain all relevant documentation that may demonstrate grant compliance. For more information, please contact the COPS Office Grant Monitoring Division at 800.421.6770 or 202.514.9202.



12. CRIMINAL INTELLIGENCE SYSTEMS

Grantees using ICTP grant funds to operate an interjurisdictional criminal intelligence system must comply with operating principles of 28 C.F.R. Part 23. The grantee acknowledges that it has completed, signed and submitted with its grant application the relevant Special Condition certifying its compliance with 28 C.F.R. Part 23.

Why This Condition:

If your agency receives funding for equipment or technology that will be used to operate an interjurisdictional criminal intelligence system, you must comply with the operating principles found at 28 C.F.R. Part 23. An "interjurisdictional criminal intelligence system" is generally defined as a system which receives, stores, analyzes, and exchanges or disseminates data regarding ongoing pre-arrest criminal activities (examples of such activities include, but are not limited to, loan sharking, drug or stolen property trafficking, gambling, extortion, smuggling, bribery, and public corruption) and shares this data with other law enforcement jurisdictions. 28 C.F.R. Part 23 contains operating principles for these interjurisdictional criminal information systems which protect individual privacy and constitutional rights.

If your agency will use Interoperable Communications Technology Program grant funds simply to operate a single agency database (or other unrelated forms of technology) and will not share criminal intelligence data with other jurisdictions, 28 C.F.R. Part 23 does not apply to this grant.

What You Should Do:

All agencies were required to agree to the Criminal Intelligence Systems/28 C.F.R. Part 23 Compliance Special Condition as part of their ICTP application proposal so that the COPS Office could track which grantees intend to use their award funds to operate interjurisdictional criminal intelligence systems. If your agency intends to use grant funds to operate an interjurisdictional criminal intelligence system, you should have indicated this in your application and certified your agency's agreement to comply with the operating principles found at 28 C.F.R. Part 23. Your agency now must comply with 28 C.F.R. Part 23 in operating the interjurisdictional criminal intelligence system funded through the ICTP grant.

13. SOLE SOURCE JUSTIFICATION

Grantees who have been awarded funding for the procurement of an item (or group of items) in excess of \$100,000 and who plan to use a non-competitive procurement process must provide a written sole source justification to the COPS Office for approval prior to obligating, expending, or drawing down grant funds for that item.



Why This Condition:

In general, grant recipients are required to procure funded items through open and free competition. However, in some instances, grantees may have already determined that competition is not feasible.

What You Should Do:

If you have received an award for an item (or group of items) or service in excess of \$100,000 and have already identified a vendor through the solicitation of only one source, you must provide a written justification that explains why it is necessary to contract non-competitively.

The initial determination that competition is not feasible can be made if one of the following circumstances exists:

1. The item (or group of items) or service is available only from a single source.
2. A competitive solicitation would create an undesirable delay affecting the grantee's ability to meet program requirements.
3. A number of sources were solicited but were considered inadequate.

The COPS Office will review your request and the supporting information that you provide and will make a determination as to whether or not an exception can be granted to the general rule regarding competition. Please use the format described in Section II, "Procurement Process," when submitting your sole source justification to your ICTP Point of Contact.

14. FALSE STATEMENTS

False statements or claims made in connection with COPS grants may result in fines, imprisonment, or debarment from participating in federal grants or contracts, and/or any other remedy available by law.

Why This Condition:

This condition advises recipients of the consequences of submitting false claims or statements on applications, required progress and Financial Status Reports, or other grant documents.

What You Should Do:

Ensure that all documentation related to your agency's receipt and use of grant funding (grant applications, progress reports, Financial Status Reports, etc.) is true and accurate.



15. STATE INFORMATION TECHNOLOGY CONTACTS

To facilitate communication among local and state governmental agencies regarding various information technology projects, the grantee agrees to notify the appropriate State Information Technology Point of Contact of the receipt of this grant award. For a list of State Information Technology Points of Contact, visit www.ojp.usdoj.gov/states.htm.

Why This Condition:

The COPS Office is committed to promoting communication between state and local law enforcement.

What You Should Do:

Upon receiving your award, your agency should contact its State Information Technology Point of Contact for further guidance.

The COPS Office is committed to avoiding duplication of existing information sharing networks or IT systems through initiatives funded by the COPS Office for law enforcement sharing systems that involve interagency connectivity between jurisdictions. Therefore, such COPS-funded systems should employ, to the extent possible, existing systems such as Law Enforcement Online (LEO), Regional Information Sharing Systems (RISS), Joint Regional Information Exchange System (JRIES), etc. as the communication backbone to achieve interstate connectivity.

To support public safety and justice information sharing, grantees should use the Global Justice Data Model specifications and guidelines for this particular grant. Your agency shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

Construction Grant Conditions

Certain agencies receiving ICTP grants under the FY03 and FY04 program solicitations were awarded funding to be used for construction-based projects. Those agencies must comply with additional provisions of federal law, including (but not limited to) the National Environmental Policy Act (NEPA). NEPA's requirements apply to federal projects, decisions, or actions, including grants, which might have a significant impact on the quality of the human environment.

Grantees receiving ICTP funding for renovation or construction costs were advised to design their projects to minimize adverse environmental impacts. For such projects, compliance with NEPA's requirements must be achieved, before the expenditure of grant funds takes place, by preparing an Environmental Assessment (EA) and an issuance of a Finding of No Significant Impact (FONSI). If your agency has questions regarding whether this special condition applies to your project or needs to submit an EA, please contact your ICTP Point of Contact at 800.421.6770 for further assistance.



What are the specific rules regarding termination of grant funding?

The COPS Office has the right to sanction or terminate your project when there is reason to believe that you:

- Are not substantially complying with the grant requirements or other applicable provisions of federal law
- Are failing to make satisfactory progress toward the goals or strategies outlined in your application
- Are not adhering to grant requirements or conditions
- Are proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application being denied funding
- Are not submitting financial or programmatic reports in a timely manner
- Are filing false statements or certifications in connection with an application, periodic report, or other grant-related documents
- Are providing other good cause for sanctions or termination as determined by the COPS Office.

In these instances, the COPS Office may:

- Temporarily withhold payments pending correction of the situation by your agency
- Disallow all or part of the cost of the activity or action not in compliance
- Wholly or partly suspend or terminate your grant
- Require that some or all of the grant funds be remitted to the U.S. Department of Justice
- Condition a future grant or elect not to provide future grant funds to your agency until appropriate actions are taken to ensure compliance
- Withhold or bar your agency from obtaining future awards
- Recommend civil or criminal enforcement by other agencies, and/or
- Take other remedies that may be legally available.

In the event that sanctions are imposed or your grant is terminated, your agency will be notified in writing of our decision and the reason(s) for that decision.

Accepting the Grant Award

After you have reviewed the conditions of your Interoperable Communications Technology Program award and your agency agrees with these conditions, you are ready to accept the award. The Director of the COPS Office has signed the Award Document indicating approval of your grant, an obligation of federal funds to your organization, and our commitment to the award. As stated at the beginning of this section, to officially begin your grant and draw down your funds, the **authorized officials** (see Section X, "Glossary") must sign the Award Document and return the **original** document to:

Interoperable Communications Technology Program Control Desk
U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue, N.W.
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)



Since COPS is required to maintain the original Award Document with original signatures in our files, faxed or altered copies of the Award Document cannot be accepted.

Who should sign the Award Document for our agency?

The “authorized officials” are the law enforcement and government executives who have **ultimate and final** responsibility for all programmatic and financial decisions regarding this grant as representatives of the legal grantee. COPS grants require that **both** the top ranking law enforcement executive (e.g., Chief of Police, Sheriff, or equivalent) and the highest-elected or appointed government executive (e.g., Mayor, Board Chairman, or equivalent) sign the Award Document. For non-law enforcement agencies (universities, private organizations, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. Typically, these are the same executives who signed the forms located in your Interoperable Communications Technology Program application package (if one or both of these individuals have changed, please complete a Change of Information form and submit it to the COPS Office). If you have any questions as to who should sign the award, please contact your jurisdiction's local legal advisor.

When must the Award Document be returned?

Please return the original signed Award Document within 90 days of receipt. Grant funds will not be released until we have received your agency's original signed Award Document, your budget has received final clearance, and any other relevant grant conditions particular to your agency have been satisfied. Failure to submit your signed Award Document within the 90-day award acceptance period may result in your COPS ICTP award being withdrawn and the funds deobligated without additional notification. If your agency requires an extension for accepting the award beyond the 90-day acceptance time frame, please submit a written request to your ICTP Point of Contact. Be sure to explain the circumstances that prevent your agency from returning the Award Document within the 90-day period, and identify the date by which the Award Document will be signed and mailed to the COPS Office. The COPS Office will review such requests on a case-by-case basis. The COPS Office reserves the right to deny requests to extend the 90-day award acceptance period.

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II. Procurement Process



II. PROCUREMENT PROCESS

As described in Grant Condition #13, grantees will be required to submit a Sole Source Justification (SSJ) request if a competitive bidding process will not be possible and the threshold of \$100,000 for goods or services procured from a sole source is met. The COPS Office will review your request and supporting information to determine whether an exception can be granted to the general rule of open competition. All grantees are expected to review and abide by 28 C.F.R. Part 66.36 Procurement (or 28 C.F.R. Part 70.40 - 70.48 for institutions of higher education, hospitals and other non-profit organizations) in determining if an SSJ must be completed. Please contact your ICTP Point of Contact at 800.421.6770 for further assistance with this federal regulation.

The initial determination that competition is not feasible can be made if one of the following circumstances exists:

- 1) The item (or group of items) or service is available only from a single source.
- 2) A competitive solicitation would create an undesirable delay affecting the grantee's ability to meet program requirements.
- 3) A number of sources were solicited but were considered inadequate.

If your agency is submitting the written request for approval for a Sole Source Justification, the documentation should follow the format provided below.

Paragraph 1 – A brief explanation of the program, the amount to be designated for the sole source, and what requested goods or services will be procured without competition (from the sole source).

Paragraph 2 – An explanation of why it is necessary to procure non-competitively, including the following information:

- Expertise of contractor/consultant/manufacture
- Management
- Responsiveness
- Knowledge of program
- Experience of contractor/consulting/manufacturing personnel
- Results of a market survey to determine competition availability, or, if one was not conducted, an explanation of why your agency did not do so.

Paragraph 3 - Time Constraints

- When goods or services are required and why
- Impact on the program if dates are not met
- How long it would take another contractor/consultant/manufacture to reach the same level of competence (equated to dollars, if possible).

Paragraph 4 - Uniqueness.

Paragraph 5 - Other points that should be covered to justify the sole source.

Paragraph 6 - A declaration that this action is in the "best interests" of the agency.

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III. Accessing Grant Funds



III. ACCESSING GRANT FUNDS

This section provides answers to payment-related questions. Your award packet contains a number of financial documents in addition to your Award Document including all the information needed to set up your payment method. For assistance with financial management and grant administration, please contact the COPS Office Response Center at 800.421.6770 or visit our web site at www.cops.usdoj.gov.

Payment Methods

For first-time grantees, there is one method of payment available for accessing federal grant funds – the Phone Activated Paperless Request System, or PAPRS. Existing grantees that are already using PAPRS for previously awarded grants must also use PAPRS for the Interoperable Communications Technology Program. Only existing grantees that are currently using LOCES for previously awarded COPS grants can elect to continue to use LOCES for any new grants.

A. Phone Activated Paperless Request System (PAPRS)

PAPRS enables grantees to use their touch-tone telephone to request funds. Approved payment requests will be automatically scheduled for payment by the U.S. Treasury Department. The system also provides on-line information to grantees about the status of their requests.

If you do not have a touch-tone telephone, please contact the COPS Office Response Center at 800.421.6770. If you need to request a reprinted PAPRS package, please contact the Office of the Comptroller, Customer Service Center, Office of Justice Programs at 800.458.0786.

How do we set up a PAPRS account?

If you are a new grantee to the COPS Office, you should receive a packet of financial documents shortly after COPS receives your original signed Award Document. This packet will contain all of the information that your agency needs to set up your payment method. You will receive a PAPRS user's manual under separate cover from the Office of the Comptroller, Office of Justice Programs. Once you receive your Office of Justice Programs Vendor Number (which may or may not be the same as your taxpayer identification number), please use your PIN and Grant ID numbers and follow the directions in the user's manual to access your funds.

B. Letter of Credit Electronic Certification System (LOCES)

Only existing grantees that are currently using LOCES for previously awarded COPS grants can elect to use LOCES for any new grants. LOCES is a modem communication system that allows recipients of COPS funds to electronically request payment from any of their grant funds, and receive direct deposit to their bank accounts within 48 hours. You will need a computer with a dedicated modem to use this system.

1. To make requests for payments through LOCES, you must have a personal computer operating DOS 3.1 or higher. We also recommend you use at least a 28.8-baud modem.



2. Complete and return the LOCES Automation Survey form. Upon receipt, your LOCES software will be customized for your use and forwarded to you.
3. Complete an ACH Vendor/Miscellaneous Payment (SF-3881) enrollment form and forward it to your bank.

A complete LOCES form and manual package may be requested by contacting the COPS Finance Division at 800.421.6770. In addition, COPS Finance staff can provide technical assistance on using the LOCES system.

Setting Up Your Account

How do we fill out the payment enrollment forms?

In the award packet, your agency received an Automated Clearing House (ACH) Vendor/Miscellaneous Payment (SF-3881) enrollment form. The ACH Vendor/Miscellaneous Payment enrollment form should be completed regardless of the payment method. **Prior to accessing your grant funds, your agency must mail the original form to:**

Office of Justice Programs
Office of the Comptroller
810 7th Street, N.W.
Washington, DC 20531

The COPS Office has completed the "Agency Information" section of this form. Your agency must complete the "Payee/Company Information" section following the directions on the back of the form and also provide the grant number (printed on the Award Document). Next, your financial institution must complete the "Financial Institution Information" section and have the appropriate financial official sign the form.

If you are already a COPS grantee, you should already have selected one of the two payment methods and filled out an ACH enrollment form. However, your agency will be required to complete and submit a new ACH enrollment form with each new grant awarded. If you have any questions, please call the COPS Office Response Center at 800.421.6770.

When should Financial Status Reports be filed?

After your agency returns the signed Award Document to the COPS Office, you are required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual monies spent and unliquidated obligations incurred by your agency. You will not be able to make drawdowns from your grant account if the SF-269A for the most recent reporting quarter is not on file with the COPS Office by the deadline date. Grantees are encouraged to submit their SF-269A reports via the Internet at <https://grants.ojp.usdoj.gov>.

For more information on how to complete and where to submit your quarterly FSRs, see Section VII of this Grant Owner's Manual entitled "Reports."

Filing the Financial Status Report identifies your federal and local expenditures made during that calendar quarter. However, to receive actual payment, you must request it through PAPRS or LOCES (see the section on payment methods).



Additional Payment Questions

Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is ten (10) days in advance. In general, the concept of “minimum cash on hand” applies to COPS grants. This concept requires that your agency request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need.

There should be no excess federal grant funds on hand, except for advances not exceeding ten days, as noted above.

The federal government has four basic rules regarding advances. Advances can be terminated if the grantee:

- Is unwilling or unable to attain project goals
- Maintains excess cash on hand
- Does not adhere to the terms and conditions of the grant, or
- Fails to submit reliable and/or timely reports.

How often do we request reimbursement of costs?

There are no limitations on how often your agency may request reimbursements. However, reimbursement is only for items that were approved in the Financial Clearance Memorandum under the ICTP grant. As a general guideline, most agencies request reimbursement on a monthly or quarterly basis.

Can we earn interest on our grant funds?

Your agency should minimize the time between your drawdown of grant funds and your payment of grant costs to avoid earning excess interest on your grant funds. You must account for interest earned on advances of federal funds as follows:

- Local units of government may keep interest earned on all advances of federal funds up to \$100 per federal fiscal year in the aggregate. Interest earned in excess of \$100 must be remitted promptly, but at least quarterly, to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- Except as provided in 28 C.F.R. 70.22(l), nonprofit organizations may keep interest earned on all advances of federal funds up to \$250 per federal fiscal year in the aggregate. Interest earned in excess of \$250 must be remitted annually to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- State governments, including any agency or instrumentality of a state, should follow the provisions of the Intergovernmental Cooperation Act (31 U.S.C. 6501 et. seq.) pertaining to the disposition of interest earned on federal funds.

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IV. Meeting the Local Match



IV. MEETING THE LOCAL MATCH

The COPS Interoperable Communications Technology Program provides up to 75 percent of the cost of allowable items, and ICTP grantees are responsible for at least 25 percent of the total project costs. The local match must be a cash match made from local, state, or other non-COPS funds. Federal funds (other than COPS Office funds) may be used to meet your local match only if the federal funds are authorized by statute for that purpose and approved by both the federal agency providing those funds and the COPS Office.

Matching contributions may be applied at any time during the life of your grant, provided that the full matching share is obligated by the end of the grant period. The local match may not be paid from funds already budgeted for a specific law enforcement purpose (you may not reallocate funds from within your law enforcement budget to pay the local match). The local match must be in addition to funds previously budgeted for specific law enforcement purposes.

Matching Funds

What are some sources of matching funds?

Sources for match requirements may include:

- Program income funds from asset forfeitures
- Funds from state or local governments that are committed to matching funds for your program
- Funds from federal programs whose statutes specifically authorize their use as matching funds, such as the Housing and Community Development Act of 1974 or the Equitable Sharing Program
- Funds contributed by private sources.

Should we maintain records of the match?

Yes, your agency must maintain records of your local share. These records should clearly show the source of the match, the amount of the match, and when the match was contributed. This is necessary to establish that the matching funds were not previously budgeted for law enforcement purposes and were contributed during the grant period. You do not need to provide these supporting documents to the COPS Office, but such records must be produced in the event of an audit or site visit. In addition, grantees are required to report the amount of local match contributed on the quarterly Financial Status Report SF-269A under "line B."

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V. Financial Record Maintenance



V. FINANCIAL RECORD MAINTENANCE

Under the COPS ICTP grant, your agency is required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed. These records must include both federal funds and all matching funds.

What accounting systems are required?

Your agency needs to establish and maintain accounting systems and financial records to accurately account for the funds awarded. These records must include both the federal funds and the matching funds from state, local, and/or private sources.

Your accounting system should:

- Present and itemize actual expenditures of funded items
- Demonstrate that funds are spent in compliance with your grant conditions
- Be able to provide the necessary information for periodic financial review and audit.

What records must be kept?

Your agency's fiscal control and accounting systems should enable you to make accurate, current and complete disclosure of the financial activity under your ICTP grant. Your accounting records should contain information showing expenditures under the grant and must be supported by items such as payroll records, time and attendance records, canceled checks, purchase orders, or similar documents.

Your agency must adequately safeguard grant funds and make sure that they are used for authorized purposes only. Your agency will be responsible for refunding any unallowable expenses.

How long must documents be kept?

All financial records, including payrolls, time and attendance records, canceled checks, purchase orders, and similar documents associated with your ICTP grant should be kept for at least three years from the date COPS officially closes the grant. If any litigation, claim, negotiation, audit or other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records should be easily located and should be properly protected against fire or other damage. **Failure to maintain adequate records to document grant expenditures may result in a requirement to repay all federal funds that cannot be supported with appropriate records.**

Your agency should maintain records so that you can identify them by grant year or by fiscal year, whichever you find more convenient.



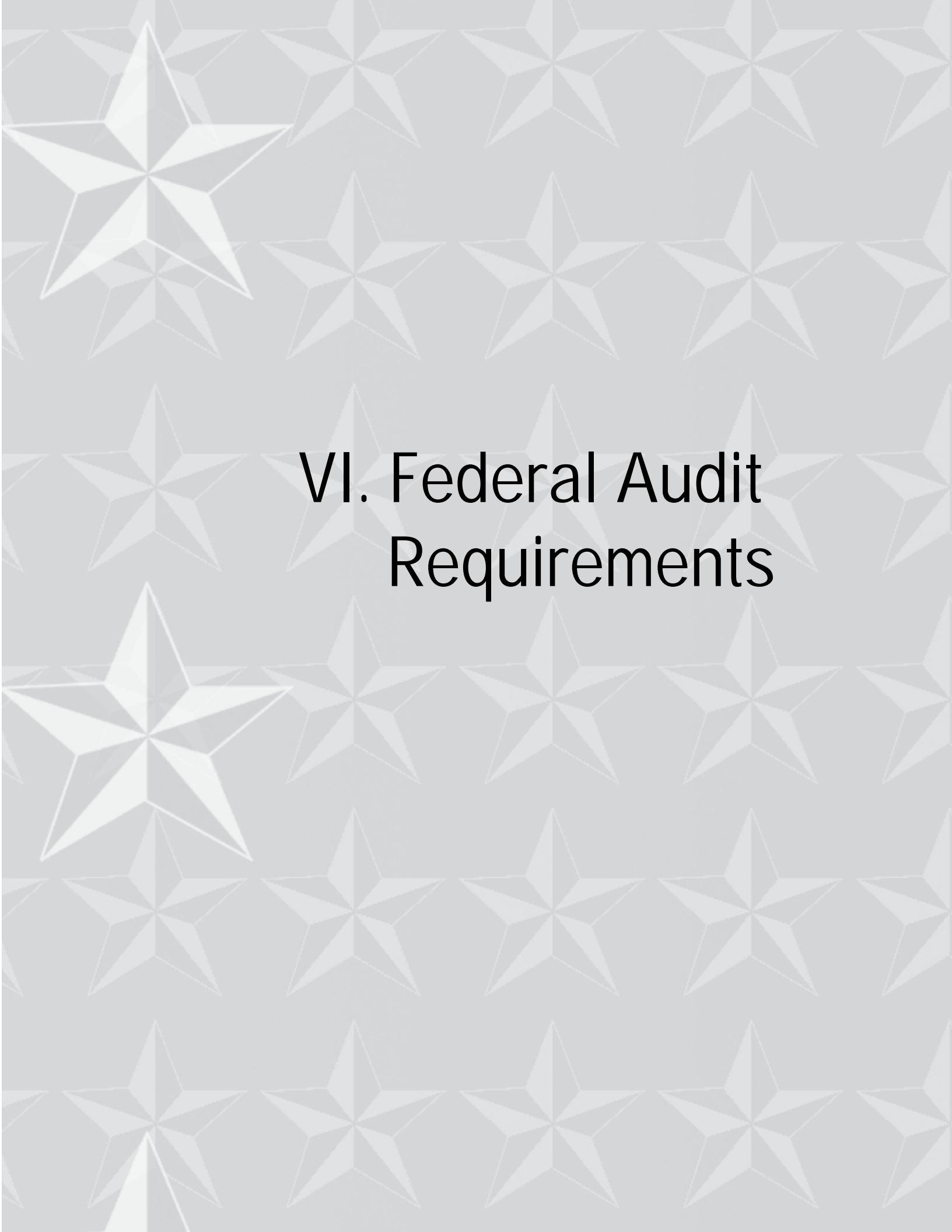
What if we have more than one grant?

If your agency has more than one COPS grant or grant from another federal agency, funds received under one project may not be used to support another project without specific written authorization from COPS, or in the case of a grant from another agency, from both awarding agencies. Your accounting systems and financial records must reflect expenditures for each project separately.

Who may access our records?

Authorized federal representatives, including representatives from the U.S. Department of Justice, the Comptroller General of the United States, the COPS Office, and any entity designated by the COPS Office may access these records for the purposes of conducting audits, site visits, or other examinations.

Records should be kept for at least three years from the date that the COPS Office has officially closed your agency's grant.

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VI. Federal Audit Requirements



VI. FEDERAL AUDIT REQUIREMENTS

In addition to oversight, guidance, and counsel provided by the COPS Office, your grant may be subject to an audit by independent examiners. The two primary types of audit are Single Audit Act (SAA) audits and Department of Justice (DOJ) Office of the Inspector General (OIG) audits.

What are the regulations governing SAA requirements?

The Single Audit Act of 1984 established uniform guidelines for state and local governments receiving federal financial assistance. The 1984 Act was amended in July 1996 to reflect revised audit criteria and reporting requirements. The Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, provides additional guidelines regarding the implementation of SAA requirements.

Who must have an SAA audit?

Each non-federal entity that expends a total amount of federal awards equal to or in excess of \$500,000 in a fiscal year is required to have a Single Audit conducted, except when it elects to have a program-specific audit conducted. SAA audits are conducted annually unless a state or local government is required by constitution or statute, in effect on January 1, 1987, to undergo audits less frequently than annually. The primary objective of an SAA audit is to express opinions on the grantee's financial statements, internal controls, major and non-major grant programs, and compliance with government laws and regulations. Single audits may also address specific compliance issues with respect to COPS grant requirements.

Failure to have an audit performed may result in sanctions imposed by federal agencies for noncompliance with Circular A-133. These sanctions could include withholding part of your federal award until a required audit is completed satisfactorily, withholding or disallowing unnecessary or unreasonable audit costs, or suspending your award until the audit is performed.

Your Single Audit Act reports **should not** be sent to the COPS Office. If the U.S. Department of Justice is your Cognizant Federal Agency (see Section X, "Glossary"), they should be sent to the Federal Audit Clearinghouse at:

**Federal Audit Clearinghouse
Bureau of Census
1201 E. 10th Street
Jeffersonville, IN 47132**

The U.S. Department of Justice, Office of Justice Programs (OJP) serves as the liaison between grantees and auditors in the conduct of SAA audits. Questions and comments regarding OIG audits and SAA audits may be directed to the COPS Office Response Center at 800.421.6770.



What is the role of the Office of the Inspector General (OIG)?

The OIG is a separate component of the Department of Justice and is independent of the COPS Office. The primary objective of OIG audits is to assess compliance with grant conditions. OIG audits are designed to promote economy, efficiency, and effectiveness in the administration of grants by evaluating compliance with laws, regulations, and policies/procedures governing the operations encompassed in the scope of the audit.

On what basis are COPS grants selected for an OIG audit?

Occasionally, the OIG conducts a COPS grant audit in response to a referral that the OIG believes warrants further evaluation. The OIG also surveys DOJ agencies on an annual basis to solicit input on suggested audit areas for the upcoming fiscal year. In most instances, however, the OIG selects grants based on a number of factors, including the geographical distribution of grants awarded, award amount, population served, and type of grant. As such, the fact that your grant has been selected for an OIG audit is not necessarily indicative of a suspected concern or problem area.

The COPS Audit Liaison Division serves as the liaison between grantees and the OIG's Audit Division, which conducts the audit. Questions and comments regarding the administration of your ICTP grant, not specifically related to an audit, should be referred to your ICTP Point of Contact.

Typical Audit Findings

The OIG has typically reported the following audit findings pertaining to grants as a result of lack of proper documentation, poor business practices, or inadequate accounting and record keeping systems:

- Unallowable costs – Grantee incurred costs which were not approved in the original budget, were in excess of the approved budget, or were charged to the grant after the expiration date and a grant extension was not obtained.
 - Unsupported costs – Specific grant expenditures and reimbursements could not be supported, or grant expenditures were in excess of actual grant costs.
 - Lack of complete programmatic and financial reporting – Grantee failed to submit required programmatic and financial reports in a timely manner and/or had inadequate record keeping systems.
 - Unsupported local match contributions – Grantee did not have adequate accounting and record keeping systems to identify the source(s) of local matching contributions, when the local matching contributions were made, and/or the amount of contributions.
-

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VII. Reports

VII. REPORTS

As part of the ICTP grant, your agency will be required to submit quarterly Financial Status Reports as well as periodic program progress reports. *Failure to submit complete reports, or submit them in a timely manner, may result in the suspension and possible termination of your agency's COPS grant funding or other remedial actions.*

Financial Status Reports

Your agency is required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual federal monies spent, unliquidated obligations incurred, local matching contributions, and the unobligated balance of federal funds.

How do we file Financial Status Reports?

The FSR is due at the COPS Office no later than 45 days following each calendar quarter. A chart showing the reporting quarter end dates and due dates is provided on the next page. A *Helpful Hints Guide for Completing FSRs* is available at the COPS web site (www.cops.usdoj.gov) or by calling the COPS Office Response Center at 800.421.6770.

A blank copy of the SF-269A is included in your award package. Please make copies of the blank form (both sides) and retain them for future use. Fax completed forms to:

COPS Finance Division Control Desk: 202.616.9004
Alternative Fax: 202.514.2852

Or mail to:

U.S. Department of Justice
Office of Community Oriented Policing Services
Attention: COPS Finance Division Control Desk
1100 Vermont Avenue, N.W.
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)

Grantees are also encouraged to submit their SF-269A reports via the Internet at:

<https://grants.ojp.usdoj.gov>

For your first SF-269A submission, use the following chart to determine when the most recent SF-269A reporting quarter ended and complete an SF-269A to cover the period from the award start date of your grant to that particular end date. You are required to submit an SF-269A even if you have not spent any money or incurred any costs during a reporting period. The due dates for on-line filing of SF-269As are the same as for the



submission of paper copies. The SF-269As must be submitted not later than 45 days after the last day of each reporting quarter as follows:

SF-269A Reporting Quarters	Date Due
01-01-YY to 03-31-YY	No later than 05-15-YY
04-01-YY to 06-30-YY	No later than 08-14-YY
07-01-YY to 09-30-YY	No later than 11-14-YY
10-01-YY to 12-31-YY	No later than 02-14-YY

Example:

If your award start date is 02-1-05 and the current date is 04-15-05, then your first SF-269A would be due no later than 05-15-05 and would cover the period 02-01-05 (award start date) through 03-31-05 (end of the most recent reporting quarter). This SF-269A must be on file with the COPS Office so that you can successfully complete a drawdown of funds through PAPRS or LOCES.

The on-line SF-269A requires the same reporting information as the paper version. The use of this on-line application enables authorized users to view current and past SF-269As, and allows them to file or amend the SF-269A for the current quarter.

Grantees who do not submit SF-269As by the due date will be unable to draw down funds. The payment systems contain a function which checks for SF-269A delinquency and will reject a drawdown attempt if the SF-269A is not up to date.

For on-line submissions, an e-mail confirmation of OJP receipt of the SF-269A will be sent to the grantee at the e-mail address listed by the grantee's registered user. Subsequent e-mail reminders will be sent to the grantee at that e-mail address if/when future SF-269As are delinquent.

For general information concerning on-line filing of SF-269A reports, go to www.ojp.usdoj.gov/oc or contact the OJP Office of the Comptroller, Customer Service Center by phone at 800.458.0786 (at option 2) or by e-mail at askoc@ojp.usdoj.gov.

How will grant funds be monitored?

The COPS Office and designated representatives from the Office of the Comptroller, Office of Justice Programs monitor the financial aspects of your agency's grant through financial reports, meetings, telephone contacts, reports, audits, reviews of grant change requests and special request submissions. In specific cases, information may also be requested during an on-site visit.

Program Progress Reports

Program progress reports may be required as requested by the COPS Office during the life of the grant. When requested, the report will be mailed to the grantee and must be completed and returned within 45 days of its receipt.

What kind of information will these reports require?

These reports will request information about the status of your grant in terms of the purchase of equipment and technology, as well as general information about your department.

Do we need to request a progress report?

No. Your agency's Interoperable Communications Technology Program POC will contact you on a quarterly basis for an update on the progress of your project and to address any issues you may have.

Contact Points to Obtain Technical Assistance and Report Violations

Any alleged violations, serious irregularities, or acts that may result in the use of public funds in a manner inconsistent with the Public Safety Partnership and Community Policing Act of 1994 or the purposes of this grant must be reported to the U.S. Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of grant provisions to help ensure that federal grant funds are spent responsibly. As such, the following contacts are provided to address non-compliance and technical assistance issues:

- If you suspect violations of a criminal nature, please contact the Office of the Inspector General's Hotline at 800.869.4499.
 - If you suspect grant violations (not criminal in nature) related to the grant conditions listed in this manual, please contact the COPS Grant Monitoring Division at 202.514.9202.
 - If you have any questions and/or need assistance regarding your grant, please contact your COPS ICTP Point of Contact at 800.421.6770.
-

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VIII. When the Grant Period Has Ended



VIII. WHEN THE GRANT PERIOD HAS ENDED

At the end of your agency's ICTP grant period, the COPS Office is responsible for the "closeout" of your grant. As part of this process, the COPS Office requires documentation demonstrating that your agency has met all of the programmatic and financial requirements of the grant.

After the end of the grant period, your agency will be asked to submit a final Financial Status Report and any applicable final program reports.

Final Financial Status Report

The final Financial Status Report (SF-269A) for your grant is due to the COPS Office no later than 90 days after the end of the grant period. The final report should reflect the total amount of federal expenditures and the amount of unobligated funds, if any. Additionally, it should reconcile with the amount of funds drawn down by your agency.

When should all of the grant monies be spent?

Grant funds reflecting allowable project costs must be obligated before the end of the grant period. Obligated funds cover monies spent and expenses for all approved items in the Financial Clearance Memorandum that your agency has incurred but not yet paid. Your agency has up to 90 days after the end of the grant period to request reimbursement for funds obligated.

Please be advised that 28 C.F.R. § 66.50(c) requires grantees to submit final SF-269As and to draw down the final reimbursement for expended funds within 90 days after the expiration of the grant. In addition, be advised that failure to complete the drawdown of funds within the 90-day period following award expiration will result in the forfeit of the remaining eligible balance.

It is possible that your agency may have excess grant funds remaining in your account following the grant period due to an overestimate of item costs during the grant period. Your agency should review its records carefully to ensure that it draws down and expends only the amount required for actual costs during the grant period. Any excess unobligated or unspent funds should remain in your account, and will be deobligated during the closeout process.

Final Program Progress (Closeout) Report

After your grant period has ended, your agency may be sent a final progress or closeout report from the COPS Office and asked to complete it. This report will serve as your agency's final programmatic report on the grant, and the information your agency provides in this report will be used to make a final assessment of your grant progress.

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IX. Conclusion



IX. CONCLUSION

We hope that this manual has assisted you and your agency with your grant questions. We welcome and encourage any comments you have regarding the COPS Interoperable Communications Technology Program and the materials we have developed for its administration. If you have specific comments regarding this manual, please send them to:

U.S. Department of Justice
Office of Community Oriented Policing Services
Attention: Interoperable Communications Technology Program
1100 Vermont Avenue, N.W.
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)

If you have any questions about your grant, please call your ICTP Point of Contact or the COPS Office Response Center at 800.421.6770.

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X. Glossary of Terms



X. GLOSSARY OF TERMS

Allowable Costs

Allowable costs are expenses that may be funded by this grant program. COPS ICTP provides funding for technology and services purchased on or after the award start date. Upon review of your submitted budget, any unallowable costs were removed. The Financial Clearance Memorandum that was included in your award package outlined your allowable costs and noted any relevant revisions that were made to your original budget submission.

Authorized Officials

The authorized officials are the individuals in your organization who have final authority and responsibility for all programmatic and financial decisions regarding this grant award. At the time of application, your agency listed the law enforcement executive (usually the Chief of Police, Sheriff, etc.) and the government executive (usually the Mayor, Board President, etc.) for your agency. These executives are listed on your Award Document and are understood to be your authorized officials; if any of the executive information is incorrect, please submit the correct information to the COPS Office by completing an official Change of Information form (found through COPS Online at www.cops.usdoj.gov).

Award Start Date

This is the date on or after which your agency is authorized to purchase any allowable technology or services that were approved by the COPS Office. The award start date is found on your grant Award Document. *Grantees may not expend funds prior to this date without written approval from the COPS Office.*

Catalog of Federal Domestic Assistance (CFDA)

The CFDA is an annual government-wide publication that contains a description and index of all forms of federal assistance. Each program is assigned a "CFDA number," which is used by auditors to track grant revenues under the Single Audit Act. It is also used in participating states by State Single Points of Contact in conducting the required intergovernmental reviews under Executive Order 12372. The CFDA number for the COPS ICTP grant is 16.710.

Cognizant Federal Agency

Your Cognizant Federal Agency is generally the federal agency that provides your agency with the most federal money. The Office of Management and Budget (OMB) may have already assigned your Cognizant Federal Agency to you. If this is the first federal grant that your organization has received, the U.S. Department of Justice (DOJ) is your Cognizant Federal Agency.

COPS Finance Division

The COPS Finance Division handles your agency's financial and budgetary needs related to this ICTP grant. A Staff Accountant has been assigned to your state, and is available to answer any questions that you may have concerning the financial aspects of your



grant. To identify your Staff Accountant, please call the COPS Office Response Center at 800.421.6770, or visit the COPS web site at www.cops.usdoj.gov.

COPS Office

The Office of Community Oriented Policing Services (COPS) is the component of the U.S. Department of Justice that is the "grantor agency" for your Interoperable Communications Technology Program grant. The COPS Office is responsible for assisting your agency with the administration and maintenance of your grant for the entire grant period. You can reach the COPS Office at 800.421.6770.

Data Universal Numbering System (DUNS) Number

Since FY 2004, the Office of Management and Budget (OMB) has required all agencies applying for federal funding to obtain this number prior to application. The DUNS number is a unique nine-digit identification number that is assigned upon request to agencies by Dun & Bradstreet (D&B). This number will be used by the federal government to better track grant recipient information throughout the grant cycle and to provide consistent name and address data for electronic grant application systems. To obtain a DUNS number, visit the Dun & Bradstreet web site at www.dnb.com or call 866.705.5711.

Employer Identification Number (EIN) / OJP Vendor Number

This number is usually your agency's nine-digit federal tax identification number as assigned to you by the Internal Revenue Service (IRS). Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In this instance, a new vendor number will be assigned to you by the Office of the Comptroller. The newly assigned number is to be used for COPS administrative purposes only and should not be used for IRS purposes.

Grant Number

The grant number identifies your agency's specific ICTP grant, and can be found on your grant Award Document. This number should be used as a reference when corresponding with the COPS Office. Your grant number is in the following format: 2004-INWX-0000 for grants awarded in FY 2004, 2005-INWX-0000 for grants awarded in FY 2005, etc. The COPS Office tracks grant information based upon this number.

Interoperable Communications Technology Program Point of Contact

COPS ICTP Points of Contact are trained to assist you with implementing and maintaining your ICTP grant. An ICTP Point of Contact has been assigned to your project, and is available to answer any questions that you may have concerning the administrative aspects of your grant. Your ICTP Point of Contact can assist you with such matters as requesting an extension on your grant or modifying the grant award. To obtain the name and phone number of your ICTP Point of Contact, please contact the COPS Office Response Center at 800.421.6770.



Obligation of Funds

The COPS Office obligates federal funds when the grant Award Document is signed by the COPS Director or his/her designated official. For the grantee, grant funds are obligated when monies are spent or orders are placed for purchasing approved technology or services under your ICTP grant. The term “encumbrance” is often used at the local and state levels to describe this type of transaction. Liquidated obligations are considered cash outlays or monies actually spent. Unliquidated obligations are obligations incurred and recorded but not yet paid (accrual basis of accounting) or not yet recorded and not yet paid (cash basis of accounting).

Originating Agency Identifier (ORI) Number

This number is assigned by the FBI, and it is your agency's unique identifier. The first two letters are your state abbreviation, the next three numbers are your county's code, and the final two numbers identify your jurisdiction within your county. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a non-official ORI code to use as an agency identifier (in such cases, the last two digits will be “Z”). It can be found on your grant Award Document. When you contact the COPS Office with a question, please reference your ORI number (and/or your grant number).

The Public Safety Partnership and Community Policing Act of 1994

The purposes of the Act are to:

- Substantially increase the number of law enforcement officers interacting with members of the community
- Provide additional and more effective training to law enforcement officers to enhance their problem-solving, service, and other skills needed in interacting with members of the community
- Encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime
- Encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

The COPS Office is charged with fulfilling the mandates of this law.

Supplanting

For the purposes of your COPS ICTP grant, supplanting means replacing state or local funds which otherwise would have been spent on law enforcement purposes with federal COPS funds. State and local governments are prohibited from supplanting throughout the grant period. This means that your agency may not use COPS funds to pay for any equipment or services which, in the absence of the COPS program, would otherwise have been funded with state and/or local funds, or funds supplied by the Bureau of Indian Affairs. COPS funds must instead be used to supplement, or increase, your law enforcement budget. For additional information on supplanting, please review Grant Condition #4 in this manual.



Appendixes



APPENDIXES

Appendix A – List of Source Documents

List of Source Documents

A. Primary Sources

Public Safety Partnership and Community Policing Act of 1994, 42 U.S.C.

B. Secondary Sources

Code of Federal Regulations (CFR):

4 CFR Parts 101-105, Department of Justice/General Accounting Office, "Joint Federal Claims Collections Standards"

5 CFR Part 1320, "Controlling the Paperwork Burden on the Public"

5 CFR Part 151, "Political Activities of State and Local Officials or Employees"

28 CFR Part 23, "Criminal Intelligence Systems Operating Policies"

28 CFR Part 61, "Procedures for Implementing the National Environmental Policy Act"

28 CFR Part 66, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"

28 CFR Part 67, "Government-wide Requirements for Drug-Free Workplaces (Grants)"

28 CFR Part 69, "Government-wide New Restrictions on Lobbying"

28 CFR Part 70, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations"

31 CFR Part 205, "Treasury Department Regulations Implementing for Cash Management Improvement Act of 1990"

Office of Management and Budget (OMB):

OMB Circular A-21, "Cost Principles for Educational Institutions"

OMB Circular A-33, "Audits of Educational Institutions"

OMB Circular A-87, "Cost Principles for State and Local Governments"

OMB Circular A-122, "Cost Principles for Non-Profit Organizations"



OMB Circular A-129, "Managing Federal Credit Programs"

OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations"

Executive Orders:

Executive Order 12291, "Regulations"

Executive Order 12372, 28 CFR, Part 30 "Intergovernmental Review of Federal Programs"

Executive Order 12547, "Non-Procurement Debarments and Suspension"

Appendix B – Assurances

Several provisions of federal law and policy apply to all grant programs. We (the Office of Community Oriented Policing Services) need to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at (800) 421-6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70, or the Federal Acquisition Regulations, as applicable (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the current edition of the COPS Grant Monitoring Standards and Guidelines; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789(d)); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E and G) of the Code of Federal Regulations.
9. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.
10. Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an eighteen-month period), must submit an acceptable Equal Employment Opportunity Plan ("EEOP") or EEOP short form (if grantee is required to submit an EEOP under 28 CFR 42.302), that is approved by the Office of Justice Programs, Office for Civil Rights within 60 days of the award start date. For grants under \$500,000, but over \$25,000, or for grantees with fewer than 50 employees, the grantee must submit an EEOP Certification. (Grantees of less than \$25,000 are not subject to the EEOP requirement.)
11. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
12. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.
13. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.
14. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.



13. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

14. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of one full local budget cycle following expiration of the grant period.

15. It will not use any federal funding directly or indirectly to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy or appropriation whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation as set forth in the Anti-Lobby Act, 18 U.S.C. 1913.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law. I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Signature of Law Enforcement Executive (or Official with Programmatic Authority, as applicable)

Date

Signature of Government Executive (or Official with Financial Authority, as applicable)

Date



Appendix B – Certifications

Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 28 CFR Part 67, "Government-Wide Debarment and Suspension (Nonprocurement)," 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.440 -

A. The applicant certifies that it and its principals:

(i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

(ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously affects your present responsibility.

(iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

(iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees, as defined at 28 CFR Part 83, Sections 83 and 83.510 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;

(b) The grantee's policy of maintaining a drug-free workplace;



Interoperable Communications Technology Program Grant Owner's Manual

(c) Any available drug counseling, rehabilitation and employee assistance programs; and

(d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;

(iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);

(iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -

(a) Abide by the terms of the statement; and

(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant.

(vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v) and (vi).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

4. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

Grantee Agency Name and Address: _____

Grantee IRS/ Vendor Number: _____

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Typed Name and Title of Law Enforcement Executive (or Official with Programmatic Authority, as applicable):

Signature: _____ Date: _____

Typed Name and Title of Government Executive (or Official with Financial Authority, as applicable): _____

Signature: _____ Date: _____



FOR MORE INFORMATION:

U.S. Department of Justice
Office of Community Oriented Policing Services
1100 Vermont Avenue, N.W.
Washington, DC 20530

To obtain details on COPS programs, call the
COPS Response Center at 800.421.6770

Visit COPS Online at the address listed below.

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August 2006



www.cops.usdoj.gov